

U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

B/O Form PTO-1390		<b>Transmittal Letter to the United States</b> <b>Designated/Elected Office (DO/EO/US)</b> <b>Concerning a Filing Under 35 USC 371</b>		Attorney's Docket Number BAND3004/REF U.S. Application Number (if known) <b>10/506612</b>	
International Application Number <b>PCT/GB03/01001</b>		International Filing Date <b>March 11, 2003</b>		Priority Date Claimed <b>March 12, 2002</b>	
Title of Invention <b>METHOD AND APPARATUS FOR THE SETTING OR ADJUSTMENT OF A CARDIAC PACEMAKER</b>					
Applicant(s) for DO/EO/US <b>BAND et al.</b>					
<b>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:</b>					
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under <i>35 USC 371</i>.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under <i>35 USC 371</i>.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (<i>35 USC 371(f)</i>) at any time rather than delay examination until the expiration of the applicable time limit set in <i>35 USC 371(b)</i> and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed <i>35 USC 371(c)(2)</i>.               <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (<i>35 USC 371(c)(2)</i>).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (<i>35 USC 371(c)(3)</i>)               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (<i>35 USC 371(c)(3)</i>).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (<i>35 USC 371(c)(4)</i>). ( <input checked="" type="checkbox"/> Executed <input type="checkbox"/> Unexecuted )</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (<i>35 USC 371(c)(5)</i>).</li> </ol> <p><i>Items 11 to 16 below concern other document(s) or information included:</i></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under <i>37 CFR 1.97</i> and <i>1.98</i>.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with <i>37 CFR 3.28</i> and <i>3.31</i> is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <span style="float: right;">Application Data Sheet</span></li> </ol>					

Application Number (if Known) <b>10/506612</b>		International Application Number <b>PCT/GB03/01001</b>		Attorney's Docket Number <b>BAND3004/REF</b>	
				Calculations	PTO USE ONLY
1. The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> <input type="checkbox"/> Neither International Preliminary Examination Fee (37 CFR 1.482) nor International Search Fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1080.00 <input checked="" type="checkbox"/> Search report has been prepared by the EPO or JPO ..... \$920.00 <input type="checkbox"/> International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) ..... \$730.00 <input type="checkbox"/> No International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) but International Search Fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$770.00 <input type="checkbox"/> International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT</b>				<b>\$ 920.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total Claims	24 -20 =	4	× \$18.00	\$ 72.00	
Independent Claims	3 -3 =	0	× \$86.00	\$ 0.00	
Multiple Dependent Claims (if applicable)			+ \$290.00		
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>\$ 992.00</b>	
Reduction by ½ for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.					
<b>SUBTOTAL</b>					
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
<b>TOTAL NATIONAL FEE</b>					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.					
<b>TOTAL FEES ENCLOSED</b>				<b>\$ 992.00</b>	
			Amount to be:	Refunded:	
				Charged:	

- a. ☒ A check in the amount of **\$992.00** to cover the fees is enclosed.  
 b. ☐ Please charge my **Deposit Account Number 02-0200** in the amount of **\$** \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.  
 c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**23364**

Customer Number  
Phone: (703) 683-0500

DATE: September 13, 2004

Respectfully submitted,

*Richard E. Fichter*

Richard E. Fichter  
Attorney for Applicant  
Registration Number: 26,382